

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF APPEALS**

Applicant(s): Soria et al.
Serial No.: 09/960,769
For: IMPLEMENTING VERSIONING SUPPORT FOR DATA USING A TWO-
TABLE APPROACH THAT MAXIMIZES DATABASE EFFICIENCY
Filed: September 21, 2001
Examiner: Cesar B. Paula
Art Unit: 2178
Confirmation No.: 6311
Customer No.: 64612 Attorney Docket No.: STL920000113US1

Mail Stop Appeal Brief-Patents
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

We are enclosing for filing in the above-identified application the following:

1. Appellant's Reply Brief (*in triplicate*);
2. Transmittal letter in duplicate; and
3. Postcard.

The Commissioner is authorized to charge any additional fees or credit any such fees, if necessary to Deposit Account No. **09-0460** in the name of International Business Machines Corporation. A duplicate copy of this sheet is attached.

Respectfully submitted,



April 25, 2008
Date

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1232.002USU

REPLY BRIEF (37 C.F.R. 41.41)

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Dear Sir:

On 30 NOV 2007, Appellants filed an Appeal Brief for the above-noted application. On 25 FEB 2008, the Office mailed an Examiner's Answer. Appellants are submitting the present Reply Brief in response to the Examiner's Answer.

This Reply Brief is being filed in accordance with the provisions of 37 C.F.R. 41.41. The Examiner's Answer does not raise any new grounds of rejection of the claims, however

the Examiner does raise new points of argument. This brief is directed only to the new points of argument.

Before addressing the new points of argument, Appellants are reviewing several aspects of the Sinander publication.

The Sinander publication discloses a technique for upgrading a database (page 1, lines 7 – 8). The technique purportedly ensures that if the upgrade of the database fails, it is possible to return to the previous state of the database (page 1, lines 24 – 25). Accordingly, for a case in which the upgrade is conducted at a page level, a table of data, i.e., an old table, is transformed or copied to a new table (FIG. 2b, page 4, lines 15 – 16). The old and new tables are synchronized with regard to data changes and new entries (page 6, lines 7 – 9). Thus, the tables in FIG. 2b contain data. The tables in FIG. 2b, are not for storing identifiers of the data. A systemtable (e.g., page 7, Table 1) is employed to facilitate the synchronization.

Table 1 includes a name of a stored procedure (e.g., sp_a), a base version of the procedure (e.g., sp_a_1.0), and a target version of the procedure (e.g., sp_a_1.1). Table 1 also contains an upgrade version of the procedure (e.g., sp_a_upgr). If access from a workstation requires processing by procedure sp_a, the system will look up the valid version of stored procedure in the systemtable (page 7, lines 28 – 31).

During an upgrade, sp_a_upgr initiates processing of both version sp_a_1.0 and version sp_a_1.1, whereby data is processed and updated in both the new table and the old table (page 8, lines 15 – 19). That is, for example, during an upgrade, sp_a_upgr initiates sp_a_1.0 to update the old table of FIG. 2b, and initiates sp_a_1.1 to update the new table of FIG. 2b. Thus, Table 1 is employed for updating the data shown in the tables of FIG. 2b so that the tables of FIG. 2b are synchronized.

With regard to an updating of Table 1, the Sinander publication states that “the target versions are added” (page 8, line 6). The Sinander publication does not further describe any changes to Table 1, and does not teach that the base version column of Table 1 is updated from the target version column of Table 1.

Below, Appellants are addressing the points of argument raised in the Examiner's Answer. While addressing those points, Appellants will reiterate some of the material from the preceding paragraphs.

Point 1

Page 10 of the Examiner's Answer states:

Regarding amended independent claim 1, Appellants indicate Sinander does not disclose a table for storing an id of an older version (p. 3)¹. The Examiner disagrees, because Sinander discloses creating a new system table ... Table 1 ...

Appellants believe that the Examiner may have misinterpreted an argument that Appellants presented in the Appeal Brief, on page 13, where Appellants are explaining that the Sinander publication, FIG. 2b, does not show tables for storing identifiers. Moreover, on page 12, Appellants recognize that the Sinander publication discloses a system table (e.g., Table 1) that holds references to stored procedures (e.g., base version, target version, and upgrade version). Thus, Appellants are not arguing that Sinander does not disclose a table for storing an ID of an older version.

Nevertheless, with regard to claim 1, **Appellants are maintaining** that (a) whereas, as explained above, the Sinander publication FIG. 2b, does not show tables for storing identifiers, and (b) whereas, as also explained above, the Sinander publication does not teach that the base version column of Table 1 is updated from the target version column of Table 1, the Sinander publication does not disclose that said **second table is updated** to include said **identifier** of said most recent version of said data **from said first table**, as recited in claim 1.

Point 2

Page 11 of the Examiner's Answer states:

¹ Appellants believe that the Examiner's Answer should refer to the Appeal Brief p. 13, rather than p. 3.

Appellant states that the old and new table of fig. 2b do not hold an identifier of a most recent version, and an identifier of an older version (page 13, para. 2-3). The Examiner disagrees, because the systemtable (table 1) does teach that the new systemtable adds a new target name of identifier indicating that a new version of the base procedure listed in the old systemtable, has been newly added to the database.

Appellants respectfully disagree with the Examiner's position. The Sinander publication, FIG. 2b contains tables of data (page. 5, line 37 – page 6, line 3). Thus, in FIG. 2b, the old table and the new table each holds data, rather than an identifier of a data item. Accordingly, **Appellants are maintaining that the Sinander publication, FIG. 2b, does not show tables for storing identifiers.**

Also, although the Sinander publication states that “the target versions are added”, **Appellants are maintaining** that the Sinander publication does not further describe any changes to Table 1, and does not teach that the base version column of Table 1 is updated from the target version column of Table 1. Therefore, the Sinander publication does not disclose that said **second table is updated** to include said **identifier** of said most recent version of said data **from said first table**, as recited in claim 1.

Point 3

The Applee Brief, page 13, paragraph 3, states:

With regard to the use of the systemtable, the Sinander publication does not disclose a second systemtable. Nevertheless, Appellants considered that in the Sinander publication, the target version column of Table 1 could be regarded as a first table, and the base version column of Table 1 could be regarded as a second table. However, even under such an interpretation, the Sinander publication does not teach that the base version column is updated from the target version column. Consequently, the Sinander publication does not disclose that said **second table (for storing an identifier of an older version) is updated** to include said identifier of said most recent version of said data **from said first table (for storing an identifier of a most recent version)**, as recited in claim 1. (emphasis in original)

The Examiner's Answer, on page 11, states:

In response to Appellant's argument that the references fail to show certain features of appellant's invention, it is noted that the features upon which

appellant relies (i.e., “the base version is updated from the target version” page 13, parag. 3. Claim 1 merely recites “*maintaining a second table for storing an identifier of an older version of said data item*”). are not recited in the rejected claim(s). (emphasis in original)

Appellants are not sure of what point the Examiner is making here. As indicated in the quotation of the Appeal Brief, page 13, paragraph 3, Appellant’s argument is that the Sinander publication does not teach that the base version column is updated from the target version column, and consequently, the Sinander publication does not disclose certain features that are recited claim 1.

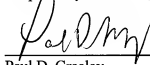
Moreover, contrary to the Examiner’s assertion, claim 1 does not merely recite “*maintaining a second table for storing an identifier of an older version of said data item*”, but further recites:

wherein, when said data item is to be updated, (i) said second table is updated to include said identifier of said most recent version of said data from said first table, and (ii) said first table is updated to identify a new version of said data item.

Accordingly, **Appellants are maintaining** that the features upon which Appellant relies are recited in the claims.

Appellants respectfully request that the Board of Appeals reverse the final rejections of the claims, thereby enabling all of the pending claims to be allowed.

Respectfully submitted,



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4/25/08

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REPLY BRIEF (37 C.F.R. 41.41)

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Dear Sir:

On 30 NOV 2007, Appellants filed an Appeal Brief for the above-noted application. On 25 FEB 2008, the Office mailed an Examiner's Answer. Appellants are submitting the present Reply Brief in response to the Examiner's Answer.

This Reply Brief is being filed in accordance with the provisions of 37 C.F.R. 41.41. The Examiner's Answer does not raise any new grounds of rejection of the claims, however

the Examiner does raise new points of argument. This brief is directed only to the new points of argument.

Before addressing the new points of argument, Appellants are reviewing several aspects of the Sinander publication.

The Sinander publication discloses a technique for upgrading a database (page 1, lines 7 – 8). The technique purportedly ensures that if the upgrade of the database fails, it is possible to return to the previous state of the database (page 1, lines 24 – 25). Accordingly, for a case in which the upgrade is conducted at a page level, a table of data, i.e., an old table, is transformed or copied to a new table (FIG. 2b, page 4, lines 15 – 16). The old and new tables are synchronized with regard to data changes and new entries (page 6, lines 7 – 9). Thus, the tables in FIG. 2b contain data. The tables in FIG. 2b, are not for storing identifiers of the data. A systemtable (e.g., page 7, Table 1) is employed to facilitate the synchronization.

Table 1 includes a name of a stored procedure (e.g., sp_a), a base version of the procedure (e.g., sp_a_1.0), and a target version of the procedure (e.g., sp_a_1.1). Table 1 also contains an upgrade version of the procedure (e.g., sp_a_upgr). If access from a workstation requires processing by procedure sp_a, the system will look up the valid version of stored procedure in the systemtable (page 7, lines 28 – 31).

During an upgrade, sp_a_upgr initiates processing of both version sp_a_1.0 and version sp_a_1.1, whereby data is processed and updated in both the new table and the old table (page 8, lines 15 – 19). That is, for example, during an upgrade, sp_a_upgr initiates sp_a_1.0 to update the old table of FIG. 2b, and initiates sp_a_1.1 to update the new table of FIG. 2b. Thus, Table 1 is employed for updating the data shown in the tables of FIG. 2b so that the tables of FIG. 2b are synchronized.

With regard to an updating of Table 1, the Sinander publication states that “the target versions are added” (page 8, line 6). The Sinander publication does not further describe any changes to Table 1, and does not teach that the base version column of Table 1 is updated from the target version column of Table 1.

Below, Appellants are addressing the points of argument raised in the Examiner's Answer. While addressing those points, Appellants will reiterate some of the material from the preceding paragraphs.

Point 1

Page 10 of the Examiner's Answer states:

Regarding amended independent claim 1, Appellants indicate Sinander does not disclose a table for storing an id of an older version (p. 3)¹. The Examiner disagrees, because Sinander discloses creating a new system table ... Table 1 ...

Appellants believe that the Examiner may have misinterpreted an argument that Appellants presented in the Appeal Brief, on page 13, where Appellants are explaining that the Sinander publication, FIG. 2b, does not show tables for storing identifiers. Moreover, on page 12, Appellants recognize that the Sinander publication discloses a system table (e.g., Table 1) that holds references to stored procedures (e.g., base version, target version, and upgrade version). Thus, Appellants are not arguing that Sinander does not disclose a table for storing an ID of an older version.

Nevertheless, with regard to claim 1, **Appellants are maintaining** that (a) whereas, as explained above, the Sinander publication FIG. 2b, does not show tables for storing identifiers, and (b) whereas, as also explained above, the Sinander publication does not teach that the base version column of Table 1 is updated from the target version column of Table 1, the Sinander publication does not disclose that said **second table is updated**¹ to include said **identifier** of said most recent version of said data **from said first table**, as recited in claim 1.

Point 2

Page 11 of the Examiner's Answer states:

¹ Appellants believe that the Examiner's Answer should refer to the Appeal Brief p. 13, rather than p. 3.

Appellant states that the old and new table of fig. 2b do not hold an identifier of a most recent version, and an identifier of an older version (page 13, parag. 2-3). The Examiner disagrees, because the systemtable (table 1) does teach that the new systemtable adds a new target name of identifier indicating that a new version of the base procedure listed in the old systemtable, has been newly added to the database.

Appellants respectfully disagree with the Examiner's position. The Sinander publication, FIG. 2b contains tables of data (page. 5, line 37 – page 6, line 3). Thus, in FIG. 2b, the old table and the new table each holds data, rather than an identifier of a data item. Accordingly, **Appellants are maintaining** that the Sinander publication, FIG. 2b, does not show tables for storing identifiers.

Also, although the Sinander publication states that “the target versions are added”, **Appellants are maintaining** that the Sinander publication does not further describe any changes to Table 1, and does not teach that the base version column of Table 1 is updated from the target version column of Table 1. Therefore, the Sinander publication does not disclose that said **second table is updated** to include said **identifier** of said most recent version of said data **from said first table**, as recited in claim 1.

Point 3

The Appeal Brief, page 13, paragraph 3, states:

With regard to the use of the systemtable, the Sinander publication does not disclose a second systemtable. Nevertheless, Appellants considered that in the Sinander publication, the target version column of Table 1 could be regarded as a first table, and the base version column of Table 1 could be regarded as a second table. However, even under such an interpretation, the Sinander publication does not teach that the base version column is updated from the target version column. Consequently, the Sinander publication does not disclose that said **second table (for storing an identifier of an older version) is updated** to include said identifier of said most recent version of said data **from said first table (for storing an identifier of a most recent version)**, as recited in claim 1. (emphasis in original)

The Examiner's Answer, on page 11, states:

In response to Appellant's argument that the references fail to show certain features of appellant's invention, it is noted that the features upon which

appellant relies (i.e., “the base version is updated from the target version” page 13, parag. 3. Claim 1 merely recites “*maintaining a second table for storing an identifier of an older version of said data item*”).) are not recited in the rejected claim(s). (emphasis in original)

Appellants are not sure of what point the Examiner is making here. As indicated in the quotation of the Appeal Brief, page 13, paragraph 3, Appellant’s argument is that the Sinander publication does not teach that the base version column is updated from the target version column, and consequently, the Sinander publication does not disclose certain features that are recited claim 1.

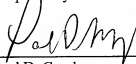
Moreover, contrary to the Examiner’s assertion, claim 1 does not merely recite “*maintaining a second table for storing an identifier of an older version of said data item*”, but further recites:

wherein, when said data item is to be updated, (i) said second table is updated to include said identifier of said most recent version of said data from said first table, and (ii) said first table is updated to identify a new version of said data item.

Accordingly, **Appellants are maintaining** that the features upon which Appellant relies are recited in the claims.

Appellants respectfully request that the Board of Appeals reverse the final rejections of the claims, thereby enabling all of the pending claims to be allowed.

Respectfully submitted,



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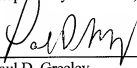
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Accordingly, **Appellants are maintaining** that the features upon which Appellant relies are recited in the claims.

Appellants respectfully request that the Board of Appeals reverse the final rejections of the claims, thereby enabling all of the pending claims to be allowed.

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